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[No.28852—HE-NCET1-CASE-0018/2023/HE.]

HIGHER EDUCATION DEPARTMENT

RESOLUTION

The 25th July, 2024

In pursuant to the provision contained under sub-section (1) of Section 10-C of the Odisha Education Act, 1969 read with sub-rule(3) of rule 8 of Odisha Education (Recruitment and Conditions of Service of Teachers and Members of the staff of Aided Educational Institutions) Rules, 1974 and rule 3 of Odisha Aided Educational Institutions Employees' Common Cadre and Inter Transferability Rules, 1979, and in supersession of all previous instruction in this regard, a common cadre of Teachers or Lecturers appointed or recruited against Direct Payment posts of Non-Govt. Aided Colleges is hereby reconstituted.

- (1)** The Direct Payment Posts means the Post held by the lecturers, -
- (i) who received grant-in-aid prior to the commencement of the Odisha Education (Amendment) Act, 1994 and Lecturers who received grant-in-aid as per provisions under Grant-in-Aid Order, 1994;
 - (ii) whose services were validated under Validation Acts;
 - (iii) who appointed as such as per clause (b) of sub-rule (2) of rule 8 of the Odisha Education (Recruitment and Conditions of Service of Teachers and Members of the staff of Aided Educational Institutions) Rules, 1974; and
 - (iv) who appointed against approved or created posts and recruited through State Selection Board.
- (2)** The Conditions of Service including the Conduct rules and Disciplinary action etc. of the members of Common Cadre shall be governed under Odisha Education (Recruitment and Conditions of Service of Teachers and Members of the Staff of Aided Educational Institutions) Rules, 1974 and Odisha Education (Leave of Teachers and other Members of the Staff of Aided Educational Institutions) Rules, 1977.

- (3) The placement of Lecturers to Senior Lecturer or Lecturer Group-A and that of Senior lecturer or Lecturer Group-A to Reader, respectively, shall be governed under erstwhile Education and Youth Services Department Resolution No. 9491/E.Y.S. dated the 19th March, 1990, and the Odisha Non-Government Aided College Lecturers' Placement Rules, 2014, as the case may be.

(4) *Inter-se-Seniority:-*

Inter-se-seniority of Lecturers of Non-Government aided Colleges, appointed or regularized against Direct Payment posts, in respect of a particular recruitment year (subject-wise) shall be on the following order and in each category *inter-se-seniority* shall be determined in the following manner; namely :-

- (a) The date of entry into service, accordingly the earlier shall be placed senior to that of the later.
- (i) The date of entry into Service in respect of the lecturers initially recruited by the concerned Governing Body of the college and subsequently have been approved under GIA scheme (Direct Payment scheme) being covered under GIA order, 1994, **is the date of admissibility of the post or the date of joining whichever is later;**
- (ii) The *inter-se-seniority* among the lecturers recruited by the State Selection Board and Posted against vacancies of Direct Payment Post shall be determined **as per the position in the select list of the State Selection Board, in respect of each subject separately;**
- (iii) The date of entry into service in respect of the lecturers recruited or posted against admissible or approved posts by the concerned Governing Body of the college and subsequently their service have been validated under Direct Payment Scheme by the validation Act, **is the date mentioned in the validation order i.e., the date of regularization or validation of service;**
- (iv) The date of entry into service in respect of the Lecturers elevated to 1st post from 2nd post, or to 2nd post from 3rd post and likewise, **is the date of entry into service in the lower post under clauses (i) and (iii) above or the date of joining in the elevated post, whichever is earlier; and**
- (v) The date of entry into service in respect of lecturers inducted as lecturers from Demonstrators **is the date of joining as lecturer** and he will be placed below the lecturers joined under clauses (i),(ii),(iii)and (iv) of sub-para (a) of Para 4 in the year:

Provided that in case the date of entry in respect of lecturers as in clauses (i), (iii), (v) found same of two or more lecturers, the **date of birth** shall be taken into consideration and the senior as per date of birth shall be treated as senior.

(b) (i) As regards the gradation list in respect of senior lecturers (UGC) or Lecturers(Group-A) (State Scale), the date of their placement as such, shall be taken into consideration for fixation of *inter-se-seniority* among them irrespective of the subject;

(ii) As regards the gradation list of Readers (UGC or State Scale), the date of placement as Readers shall be taken into consideration for fixation of *inter-se-seniority* among them irrespective of the subject; and

(iii) The provision of the proviso to sub-para(a) of para 4 shall also be applicable in same manner in case the date of such placement as provided in clauses (i) and (ii) of sub-para (b), when such date is found same in respect of two or more teachers, for fixation of seniority.

(5) In case of any complications or dispute arises in the interpretation of this Resolution, the interpretation and decision of Higher Education Department shall be final.

(6) This shall come in to force from the date of issue of this resolution in the *Odisha Gazette*.

(7) This has been concurred in by the GA & PG Department vide their UOR No. 26, dated the 4th March, 2024 and Law Department vide their UOR No. 450, dated the 1st February, 2024 and No. 1273, dated the 14th May, 2024 respectively.

Order:- Ordered that the Resolution be published in an Extraordinary issue of the *Odisha Gazette*.

By Order of the Governor

ARAVIND AGRAWAL

Commissioner-*cum*-Secretary to Government